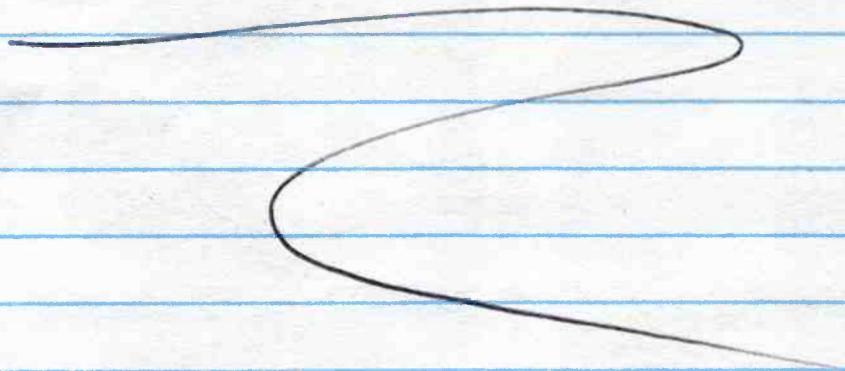


Amended
Complaint



Page 2

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

Defendant No. 8

Name

Marlin's, Inc. (DBA) CBM Management (DBA) Summit
Food
Services

Job or Title (if known)

Shield Number

Employer

South Dakota - Dept. of Corrections

Address

3850 N. Cliff Ave

Sioux Falls

SD

City

57104

State

Zip Code

 Individual capacity Official capacity 605-368-2027

Defendant No. 9

Name

Aramark Correctional Services, LLC.

Job or Title (if known)

Catering / Food Service Provider

Shield Number

South Dakota - Dept. of Corrections

Employer

62 Civic Center Plaza

Address

Santa Ana

CA

City

92701

State

Zip Code

 Individual capacity Official capacity 800-999-8989

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

 Federal officials (a *Bivens* claim) State or local officials (a § 1983 claim)B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Religious Discrimination, Violation of 1st Amendment - Freedom of Religion, Free Exercise/E~~st~~ablishment-Free Exercise Clause, Religious Freedom Restoration Act, Freedom of Speech, Freedom of Expression, 8th Amendment Rights Against Cruel & Unusual Punishment, Equal Protection Clause, 14th Amendment Violations, Freedom of Religion Act, Religious Land Use

~~plaintiffs bring under Bivens may only recover for the violation of certain constitutional rights. If you are bringing under Bivens, what constitutional right(s) do you claim is/are being violated by state or local officials?~~

8 Institutionalized Persons Act, 5th or 14th Amendment - due process rights, PLRA, Right to be free from abuse of discretion on part of prison administration, Protection from unconstitutional administrative action, Protection of a prisoner's life and health from administrative action. All Violated!

Indovements & How

Defendant's #8 & #9 Wrongfully Acted

#8.) Marlin's, Inc. (DBA) CBM Management (DBA) Summit Food Services has been our food vendor/provider for the South Dakota State Penitentiary for over 3 years. Making special exceptions/diets for Jews, Muslims, Asatru, and other religions practiced within the prison. All while completely discriminating and ignoring the needs of me and my religion and my "religious diets!" Leaving me to suffer physically, emotionally, spiritually, & ~~psychologically~~ from disgracing my God, myself, and being forced to eat "dog slop," instead of what is pleasing to my God. Almost exactly equivalent of forcing a Jew or a Muslim to eat pork against their religious beliefs. For years my strongly held religious beliefs have been ignored and violated, under color of state law.

#9.) Aramark Correctional Services, LLC. is our new food catering company serving prisoners and the entire prison as of October 1st 2022. This company has, in turn, done the same as its predecessor Marlin's, Inc. (DBA) CBM Management (DBA) Summit Food Services. My religious views and strict Satanic religious diet is also ignored and discriminated against. Again, it is equivalent to

#8 Continued...

forcing a Jew or a Muslim to eat pork against their religious beliefs. Leaving me to suffer physically, emotionally, spiritually, & psychologically from disgracing my God, myself, and being forced to eat "dog slop," instead of what is pleasing to my God. Further violating and discriminating against me and my strongly held religious beliefs. All while acting under color of state law.

Further Claims

Please let it be known that, "at all times, each defendant listed acted under color of state law." (This applies to all 9 defendants).

Please let it be known that, "all 9 defendants have and continue to cause physical harm/injury. Further resulting in emotional, psychological, spiritual, and mentally debilitating damages to my health. (necessary for money damages under PLRA).

Lastly, please let it be known that, "all 9 defendant's actions were not necessary or reasonable to maintain prison discipline."